

REMARKS

Applicant affirms the election of Species I (Figs. 1, 2 and 5) and confirms that all of the new claims 33-45 read on the elected species.

The Examiner's rejections under 35 U.S.C. §112 were taken into account in the new set of claims.

New main claim 33 recites the clamping element 26, 86 which is mounted for axial movement at the upper end region 22 of the column. In the clamped position depicted in Fig. 2, the clamping element 26 engages an upper surface of the plate 14 and axially presses the plate against the platform 18 to clamp the plate on the platform. The same is true for the clamping element 86 depicted in Fig. 5.

The applied art does not disclose or suggest such clamping.

U.S. Patent No. 5,715,954 to Zaremba discloses a plate 2 slidable along a column 6a and held at a selected elevation by a friction fit on the column, or by resting on an O-ring 15 or on a plastic rigid ring 16 mounted on the column. There is no clamping element that engages an upper surface of the plate. There is no axially movable clamping element that presses the plate against a platform.

The same is true for U.S. Patent No. 5,934,634 to Lindblom in which a plate 1 is mounted on a pole 2 and held in place on top of a holder 9. There is no clamping element that engages an upper surface of the plate, nor that clamps the plate.

U.S. Patent No. 5,873,312 to Mauro-Vetter was cited to show the feature of telescoping columns, but here again, no clamping element is shown.

Allowance of claim 33 and its dependent claims 34-45 is respectfully requested. At least some of the dependent claims are believed to be patentable *per se* without having to rely on the features of their parent claim.

For example, claim 34 recites that the plate has a plurality of compartments. Claims 36-38 recite the threaded nature of the clamping element. Claims 40 and 45 recite the concave shape for the clamping element 86. Claim 44 recites the friction fit between a frusto-conical beverage container and an upper open end region of the column. None of these features are taught in, or suggested by, the applied art.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

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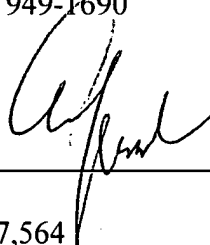
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